

MOTION BY SUPERVISOR YVONNE B. BURKE

NOVEMBER 15, 2005

As many people are aware, there is a long running patent dispute between the maker of the increasingly popular and ubiquitous “Blackberry” hand-held email devices manufactured by Research in Motion, Ltd. and the patent holder NTP, Inc. As the popularity has grown, so has peoples’ dependence on these devices.

Just last week, the Justice Department filed a “statement of interest” in the case describing and underscoring the increasingly heavy reliance by government workers and characterized in the newspaper article as saying that any injunction against Motion Ltd ” ... would be technically challenging to separate federal workers from other users.” The article further stated that NTP, Inc. “... has said it wants to exempt all government workers- federal, state and local – from the injunction and that doing so would be relatively easy.”

Given the widespread use of these devices among workers at the County of Los Angeles, I believe it would be in our best interest to have county counsel, in conjunction with the CIO, to research the ramifications of potential adverse rulings and/or injunctive

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ANTONOVICH	_____
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relief sought by NTP, Inc. against Research in Motion, Ltd on County users.

I, THEREFORE, MOVE that this Board instruct the County Counsel and the CIO to report back to this Board in two weeks, by way of written memo, on potential adverse impacts that is ongoing patent dispute may have on the county and other government agencies and the extent of the exemption from the injunction, if granted.

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